

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

THIS DOCUMENT RELATES TO:

City of New York, et al. v.

Abbott Laboratories, et al.

Civil Action No. 04-cv-06054 et al.

MDL No. 1456

Master File No. 01-12257-PBS

Judge Patti B. Saris

Magistrate Judge Bowler

AFFIDAVIT OF SETH A. GASTWIRTH

I, Seth Gastwirth, depose and state as follows:

1. I am an attorney at law licensed to practice in the State of Illinois. I was admitted to the Illinois Bar in 2004. I am also admitted to practice in the United States District Courts for the Northern District of Illinois, and the Southern and Eastern Districts of New York.

2. I am a resident of Illinois and have been a practicing attorney for over three years.

3. I am currently an attorney in the law firm of Kirkland & Ellis LLP.

4. I am a member in good standing of the Illinois Bar and am duly licensed and admitted to practice law by the State of Illinois. My Illinois attorney identification number is 6282932.

5. I am a member in good standing of the New York Bar and am duly licensed and admitted to practice law by the State of New York.


6. I have never been suspended or disbarred in any jurisdiction and there are no disciplinary actions pending against me.

7. My clients, Defendants Boehringer Ingelheim Corporation; Boehringer Ingelheim Pharmaceuticals, Inc.; Roxane Laboratories, Inc.; and Roxane Laboratories, Inc. n/k/a

Boehringer Ingelheim Roxane, Inc. (collectively the "Boehringer Defendants"), in the above-captioned action, have requested that I represent its interests in this matter. The Boehringer Defendants has been my client since February 2008, and I have been actively involved in representing the Boehringer Defendants' interests since that time.

8. If the Court allows the Motion for me to appear *pro hac vice* in this matter, I will continue to represent the Boehringer Defendants in this proceeding until the final determination thereof, and with reference to all matters, incidents, or proceedings, I agree that I shall be subject to the orders and amendable to disciplinary action and the civil jurisdiction of this Court in all respects as if I were regularly admitted.

Signed under the penalties of perjury this 22nd day of April, 2008.


Seth A. Gastwirth